

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Andrew Krueck : Bankruptcy No. 19-15344
Debtor :
: Chapter 13

MOTION TO MODIFY PLAN POST-CONFIRMATION

NOW COME the Movant, Andrew Krueck, by and through his attorney, Gary E. Thompson, Esquire, and moves this Court to permit him to amend his Chapter 13 Plan as provided in Exhibit “A”, attached hereto and incorporated herein, and in support thereof aver the following:

1. Debtor filed a petition for relief under Chapter 13 of the United States Bankruptcy Code on August 27, 2019.

2. The Debtor’s First Amended Chapter 13 Plan dated February 21, 2020 (hereinafter, “Confirmed Plan”) was confirmed by this Court on April 1, 2020.

3. Debtor’s Confirmed Plan provides for a payment of Two Hundred and Ten Dollars (\$210.00) for four (4) months and Four Hundred and Ninety-Nine Dollars (\$499.00) for fifty-six (56) months.

4. Under the Confirmed Plan, Wells Fargo Home Mortgage was to receive Four Thousand Five Hundred and Twenty-six and 60/100 Dollars (\$4,526.60) as pre-petition arrears on a mortgage on real estate located at 387 Century Oak Drive, Oxford, PA 19363 (hereinafter, the “Residence”).

5. Debtor requested and received permission from this Court, by Order dated January

7, 2020, to sell the Residence.

6. The sale of the Residence paid off and satisfied in full the secured claim of Wells Fargo Home Mortgage.

7. A post confirmation Amended Plan is required so that no further disbursements are made to Wells Fargo Home Mortgage.

8. The Proposed Amended post Confirmation Plan proposes that the Debtors will continue to make payments of Four Hundred Ninety-Nine Dollars (\$499.00) per month which, with any excess to be used solely for the benefit of unsecured creditors.

9. The Proposed Amended Post Confirmation Plan will impact the creditors in the following ways:

A. Debtors' attorney will receive an additional fee for post-confirmation work, after application to the Court, and Court approval; and

B. There will be a significant increase in funds available to unsecured creditors, on a pro-rata basis.

10. The Proposed Amended Post-Confirmation Plan meets all of the requirements for 11 U.S.C. §1322, §1325 and §1329.

WHEREFORE, Movants respectfully request, your Honorable Court, to permit them to amend their Chapter 13 Plan Post-Confirmation as provided in Exhibit "A".

CAROSELLA & ASSOCIATES, P.C.

Dated: June 18, 2020

By: /s/ Gary E. Thompson
Gary E. Thompson, Esquire

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ORDER

AND NOW, this _____ day of _____, 2020, upon consideration of the Motion to Modify Plan Post-Confirmation and after hearing thereon, if necessary, it is ORDERED that the Debtor's Plan is amended with Exhibit "A" attached to said Motion.

BY THE COURT:

UNITED STATES BANKRUPTCY JUDGE